

Sixth Appellate District

San Jose, California

MONDAY, FEBRUARY 11, 2008

H031238 MENDIOLA v. PEKIN, et al.

The order granting Defendants' special motion to strike is affirmed as to the causes of action for defamation, abuse of process, intentional infliction of mental distress and interference with prospective economic relations. As to the cause of action for invasion of privacy, the order is reversed. The parties are to bear their own costs on appeal. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed February 11, 2008

IN THE MATTER OF THE DESTRUCTION OF COURT RECORDS

BY THE COURT:

This court having been advised by the State Records Center that certain criminal and juvenile records preserved for a period longer than 20 years are eligible for destruction as provided by rule 10.1028(c) of the California Rules of Court, and good cause appearing, it is hereby ordered that said records designated in Records Transfer List 8, 10, and 14 be scheduled for destruction.

Dated February 11, 2008

Rushing, P.J.

IN THE MATTER OF THE DESTRUCTION OF COURT RECORDS

BY THE COURT:

This court having been advised by the State Records Center that certain civil records preserved for a period longer than 10 years are eligible for destruction as provided by rule 10.1028(c) of the California Rules of Court, and good cause appearing, it is hereby ordered that said civil records designated in Records Transfer Lists 62, 65, 66, and box 57 of Records Transfer List 44 be scheduled for destruction.

Dated February 11, 2008

Rushing, P.J.

The following case is submitted this date:

H031749 PEOPLE v. WHITE

H030892 SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 715 et al. v. CITY OF MOUNTAIN VIEW et al.

The judgment is reversed. The case is remanded to the trial court, and the trial court is directed to deny plaintiffs' petition for writ of administrative mandate and to enter a new judgment in favor of defendants. Costs are awarded to defendants. (not published)

(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed February 11, 2008

Sixth Appellate District

San Jose, California

WEDNESDAY, FEBRUARY 13, 2008

H031622 PEOPLE v. BOTELHO

The judgment is affirmed. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed February 13, 2008

H030704 PEOPLE v. MILLIGAN

The judgment is reversed and the matter is remanded for
resentencing. (not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed February 13, 2008

THURSDAY, FEBRUARY 14, 2008

H030422 PEOPLE v. LEBBOS

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed February 14, 2008

H030305 PEOPLE v. SATTERFIELD

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed February 14, 2008

H031761 ELIAPPO v. SCI CALIFORNIA FUNERAL SERVICES, INC., et al.
By the Court*:

Appellant's petition for rehearing or alternatively petition
for writ of mandamus considered a request to set aside the
dismissal order dated January 15, 2008, is granted and the above
entitled appeal is ordered restored to active status.

The trial court is directed to forward the record on appeal
in the above entitled cause within 5 days from the date of this
order. Upon receipt thereof, the clerk of this court is directed
to file said record on appeal forthwith.

Filed: February 14, 2008 Rushing, P.J.

Sixth Appellate District

San Jose, California

Thursday, February 14, 2008 (continued)

H030699 PETERSON v. WEISS

The order of the trial court dated July 20, 2006, is reversed. The matter is remanded to the trial court with directions to strike that part of the order requiring petitioner Larry Peterson to reimburse respondent Jeanette Weiss for private school tuition expenses incurred on behalf of their minor children prior to May 17, 2005. The trial court shall recalculate the amount that, in the court's discretion, petitioner shall pay for such expenses incurred from May 17, 2005 through the end of the 2005/2006 school year, keeping in mind the requirements of Family Code section 4061. The orders of the trial court dated August 29, 2006, and September 11, 2006, are affirmed. The parties shall bear their own costs on appeal (not published) (Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed February 14, 2008

FRIDAY, FEBRUARY 15, 2008

The following case is submitted this date:

H031872 In re LANCE K.; SANTA CRUZ COUNTY HRA v. ANTOINETTE M.

H029863 PEOPLE v. SILVA

(Filed modification of opinion with no change in the judgment.) Appellant's petition for rehearing is denied.(not published)
(Rushing, P.J., We concur: Premo, J., Elia, J.)
Filed February 15, 2008

H030386 AMTOWER v. PHOTON DYNAMICS, INC., et al.

H030477 AMTOWER v. PHOTON DYNAMICS, INC., et al.

(Filed modification of opinion with no change in the judgment.) (published)
(Premo, Acting P.J. and Elia, J.)
Filed February 15, 2008

Sixth Appellate District

San Jose, California

Friday, February 15, 2008 (continued)

H029620 PEOPLE v. WHYMS

By the Court*:

Appellant's motion to augment the record to include a copy of exhibit A to the defense pretrial in limine motion and a copy of the request for transmission of exhibits to the reviewing court marked as exhibits 1 and 2, respectively, to appellant's motion to augment the record on appeal filed January 31, 2008, is granted. The record on appeal is deemed augmented to include those documents attached hereto and incorporated by reference.

Appellant's petition for rehearing is denied.

Filed: February 15, 2008

*Before Bamattre-Manoukian, Acting P.J., McAdams, J. and Duffy, J.